

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :  
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: :  
- v - : No. 16-CR-91 (PKC)  
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: :  
SCOTT TUCKER and TIMOTHY MUIR, :  
: :  
: Defendants. :  
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**DECLARATION OF SCOTT TUCKER**

I, Scott Tucker, under penalty of perjury, declare the following to be true:

1. I was sentenced on January 5, 2018 to 200 months confinement on Counts 1-9 and 12 months of confinement on Counts 10-14, to run concurrently. I was also sentenced to 3 years of supervised release, a special assessment of \$1,025.00 and a fine of \$25,000.00.
2. I was remanded to the custody of the United States Marshal and began my sentence on January 5, 2018.
3. Between the time of the jury verdict on October 13, 2017 and sentencing on January 5, 2018, I was permitted to be on home confinement with electronic monitoring, indicating I was not considered a safety risk to myself or the community. I completed this without issue.
4. I am currently housed at Yazoo FCC Satellite Work Camp. However, I have served 51 of my 60 months incarcerated in a maximum custody unit in Leavenworth. For approximately 48 months of this time, the prison was on lockdown for nearly 24 hours a day due to COVID-19 and violence at the facility.

5. During my time in maximum custody, I have witnessed several attacks and stabbings on inmates and guards, as well as drug overdoses. This type of violence is widely recognized and was the focus of the ACLU's report to President Biden and demand to end the use of private prisons. I was constantly afraid for my safety as I was one of the only defendants in this location who had been sentenced on a non-violent offense.
6. I am currently working in the education department and teaching classes.
7. During my time in prison, I have mentored many inmates, teaching them to embrace a positive mindset, take responsibility for their actions, and to acquire useful skills that can help them when they are released.
8. I am 60 years old.
9. I sent a request for Compassionate Release to the Warden of my facility, Yazoo City Low, on December 27, 2022. See Ex. H, Request to Warden. I have received formal denial of this request.
10. I am currently in a minimum-security facility, indicating I am not considered a safety risk.
11. There are extraordinary and compelling reasons for my release in that:
  - a. My mother, Norma Tucker, is extremely ill and has no one to care for her other than me.
  - b. My mother, Norma Tucker, lives alone and cannot afford in-home care or to live at a nursing home.
  - c. My mother, Norma Tucker, has three sons, including me. One of her sons is deceased and the other is also incarcerated. She has no partner or other family who is able to care for her.
  - d. I am extremely concerned that without someone to live with her and care for her,

my mother will injure herself and be unable to receive assistance in time, leading to her death.

- e. My grandmother passed away after a fall in her bathroom. Like my mother, she lived alone, and no one found that she had fallen for three days. I am concerned that something similar may happen to my mother if I am unable to be released to care for her.

12. Upon release, I would live with mother, Norma Tucker, and work for TJ Inc, teaching spouses of service members financial literacy. Rey Garcia would be my direct supervisor in this position.

13. I will submit to any conditions placed upon my early release, including but not limited to house arrest and electronic monitoring.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 26 day of January, 2023.

Approved via email by Scott Tucker  
**SCOTT TUCKER**